

IN THE UNITED STATES TRADEMARK TRIAL AND APPEAL BOARD

RESPONSE BY APPLICANT. OPPOSITION 91122000. MOTION FOR SUMMARY JUDGEMENT.

1. December, 22, 2005 ttab panel ruled no confusion. the 3 judge panel ruled That amazon.com had absolutely no common law rights prior to the filing of registration For applicants cosmeticsamazon trademark class 35. online sales of cosmetics.

2. applicant contends that amazon.com is disrespecting the ttab decision of December 22, 2005

Simply by filing another summary judgement for confusion.

Basically amazon.com is inferring that amazon.com is correct and a 3 judge panel That makes decisions about trademarks on an ongoing daily basis are incapable And only amazon.com knows what is right.

3. it is clear that amazon.com wanted to become an Amazon after applicant Filed several trademark applications at the uspto in the year 2000 Long before amazon.com filed applications for the mark Amazon.

4. applicant wishes to thank the ttab for making a fair ruling on December, 22, 2005. Therefore based on the ttab ruling that applicant has a Defense and that his Defense iff he so chooses is to REST THE COSMETICSAMAZON APPLICATION, APPLICANT hereby wishes to rest the cosmeticsamazon uspto registration application Dated march 8, 2000.

5. furthermore according to ttab decision applicant contends that amazon.com May not be granted summary judgement as applicant has rested the Cosmeticsamazon trademark application which is a valid defense.

6. applicant hereby with all due respect asks the ttab to hereby grant the approved Servicemark cosmeticsamazon registration on to the principal registry.

7. applicant has needlessly suffered enough direct and indirect bully tactics by amazon.com

Et all.

VS [Signature]
Feb 14, 2006



8. applicant wishes to remind ttab that applicant von eric lerner kalaydjian
Has prior trademark rights to the servicemark Amazon.

Applicant contends that amazon.com not be allowed to amend the opposition
91122000

By including the mark Amazon for sales of cosmetics.

9. applicant has made several attempts to settle this matter with amazon.com
However amazon.com has refused to come to any agreement regarding this
Opposition. Iff amazon.com is allowed to amend opposition in any way shape or
Form applicant contends it would be prejudicial to his entire work and case.

10. applicant rests his entire list of trademarks .

- a. Amazon. Registered California. year 2000. class 35 advertising and producing cosmetics etc.
- b. cosmeticsamazon uspto march 8 2000 application.
- c. Amazontan.com registered California year 2000 class 3
- d. Amazontan registered uspto principal class 3
- e. company AMAZON COSMETIC AND TAN PRODUCTS FIRST USE CLASS 35 AND 3 sept, 16, 1999.

11. Discovery was closed on or around December 22, 2005. amazon.com cannot and must not

Be allowed to utilize any more discovery as it would be highly prejudicial to applicant.
12. applicant respectfully requests a ttab ruling in favor of the cosmeticsamon registration.

[Handwritten signature]
Feb 14, 2006

IN THE UNITED STATES TRADEMARK TRIAL AND APPEAL BOARD

RESPONSE BY APPLICANT .MOTION TO AMEND OPPOSITION 91122000

1.opposer is late in trying to amend opposition .

2.Discovery period was closed as of December 22,2005.

3.opposer neglected to respond to applicants response to the first Request for summary judgement .

4.applicant with the utmost respect to the ttab contends that granting Any more new discovery to opposer would be utmost Prejudicial To applicants case and application.

5.let the record show that as of February 3 2000 amazon.com had Over 5 years to prepare discovery for this opposition yet after The ttab has closed discovery dates amazon.com wants more New discovery entered in a new Amended opposition proceeding. Applicant cannot take responsibility for amazon.coms legal decisions. Any amendment at and beyond December 22,2005 would interpret An unfair opposition proceeding given that the burden of proof is For opposer to prove and opposer cannot prove its case. Applicant was born in los angeles California .USA. in 1963. Applicant would kindly request this absurd and harassing opposition be thrown Out with prejudice and the cosmeticsamazon application be granted registration Immediately.

Von eric lerner kalaydjian



feb,14,2006